

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

GARY WALLACE,  
Petitioner

v.

BRENDA TRITT, Facility Manager,  
Respondents.

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: CIVIL NO. 1:15-cv-1114  
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*O R D E R*

AND NOW, this 13th day of July, 2015, upon consideration of the report and recommendation of the magistrate judge (Doc. 6), filed June 19, 2015, to which no objections were filed, and upon independent review of the record, it is ordered that:

1. The magistrate judge's report (Doc. 6) is adopted.
2. Petitioner's habeas petition (Doc. 1) is DISMISSED for lack of subject matter jurisdiction, without prejudice to petitioner's right to seek pre-authorization from the Third Circuit under 28 U.S.C. § 2244(b)(3).
3. For the same reasons articulated in the magistrate's report, the "Amended Petition for a Writ of Habeas Corpus" (Doc. 7), which Petitioner filed on July 1, 2015, is DISMISSED.
4. A certificate of appealability is denied.
3. The Clerk of Court shall close this file.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge